

DOCKET FILE COPY ORIGINAL

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

MAR - 6 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Administration of the) CC Docket No. 92-237
North American Numbering Plan)
Carrier Identification Codes (CICs))

COMMENTS OF U S WEST, INC.

I. INTRODUCTION, SUMMARY AND OVERALL U S WEST POSITION

In October of last year, the Federal Communications Commission's ("Commission") sought comment on the use and application of Feature Group D Carrier Identification Codes (CIC), the propriety of establishing formal Commission rules regarding such use and application, the definition of "entity" with respect to those who are recipients of CICs and on CIC conservation issues generally.¹ The Commission proposed to supplant the North American Numbering Plan ("NANP") Guidelines,² with Commission rules governing CIC use and assignment and sought comment on this proposal.³

¹ In the Matter of Administration of the North American Numbering Plan Carrier Identification Codes (CICs), CC Docket No. 92-237, Further Notice of Proposed Rulemaking and Order, FCC 97-364, rel. Oct. 9, 1997 ¶¶ 2, 12 ("FNPRM") and (Order). Pursuant to the requirements of paragraph 59 of the FNPRM, U S WEST, Inc. ("U S WEST") herein responds to Section III., subsections A., B. and C. of the FNPRM.

² See Carrier Identification Code Assignment Guidelines, INC 95-0127-006, formerly ICCF 92-0726-002, Revision September 1996 ("1996 CIC Assignment Guidelines" or "Guidelines").

³ FNPRM ¶ 2.

No. of Copies rec'd
List ABOVE

024

Simultaneously with the FNPRM, the Commission issued an Order asking the North American Numbering Council ("NANC") to provide the Commission with recommendations on the Commission's tentative conclusions, as reflected in the FNPRM, as well as any recommended alternative proposals.⁴

In order to provide the Commission with recommendations, the NANC formed the CIC Ad Hoc Committee, which formulated recommendations to the NANC.⁵ The Committee's recommendations were approved by the NANC at its February 18th meeting and forwarded to the Commission on February 19th.⁶

⁴ The Commission originally required that the NANC provide its recommendations no later than December 15, 1997. FNPRM, ¶ 2, Order ¶ 63. Specifically, the NANC was to provide recommendations to the Commission on how to define the term "entity" and on whether the CIC conservation measures (i.e., limits on CIC assignments per entity, a limit on the total number of assignable CICs, and mandatory CIC reclamation procedures) were necessary to meet the Commission's numbering policy goals. The NANC should also include any alternative proposals it might recommend.

Subsequent to the deadline, the Commission issued an extension of time for both the filing of comments in the FNPRM, as well as the receipt of the NANC recommendations. In the Matter of Administration of the North American Numbering Plan Carrier Identification Codes (CICs), Order, 12 FCC Rcd. 19573 (1997).

⁵ "Report and Recommendations of the CIC Ad Hoc Working Group to the North American Numbering Council (NANC) Regarding Use and Assignment of Carrier Identification Codes (CICS)," ("Ad Hoc Working Group Report") presented to Alan C. Hasselwander, NANC Chairman *via* letter from Co-Chairs Peter Guggina and Paul Hart, dated February 6, 1998.

⁶ See Letter to A. Richard Metzger, Chief, Common Carrier Bureau, Federal Communications Commission, from Alan C. Hasselwander, Chairman, North American Numbering Council, dated February 19, 1998. This correspondence attached a copy of the CIC Ad Hoc Working Group Report. A subsequent letter was sent to Mr. Metzger from Mr. Hasselwander, advising that the February 19th correspondence had incorrectly stated that the NANC recommendations were "unanimously adopted" and advising that there was one dissent from the Organization for the Promotion and Advancement of Small Telephone Companies

U S WEST was an active participant in the CIC Ad Hoc Committee and the development of its recommendations. U S WEST is in basic support of the consensus recommendations of the CIC Ad Hoc Committee and the NANC. In some circumstances we believe that the recommendations are, perhaps, more conservative than is absolutely required.⁷ However, we do not oppose those recommendations in the spirit of consensus decision-making.

We particularly stress our support for the recommendation that the term "entity" be retained with its current concept of "control." However, "control" should be defined to include only those situations where a firm has more than a 50 percent or greater ownership interest in another firm.⁸

We also support the following NANC recommendations:

- That the present two CIC per entity limit be discontinued at the end of the 10XXX dialing period.⁹
- That a six CIC per entity model (excluding those CICs secured through a merger and/or acquisition) be established at the end of the 10XXX dialing

("OPASTCO"). Letter to A. Richard Metzger, Chief, Common Carrier Bureau, Federal Communications Commission, from Alan C. Hasselwander, Chairman, North American Numbering Council, dated February 25, 1998.

⁷ For example, we do not believe that any of the 1996 CIC Assignment Guidelines need to be codified in Commission rules, while the NANC recommends that those aspects of the Guidelines dealing with activation of CICs and semi-annual usage and access reports be codified. Ad Hoc Working Group Report ¶¶ 36, 38. Those recommendations would support codification of these two requirements. Additionally, given the substantially increased number of CICs that will be available for assignment with the adoption of 4-digit CICs, we find the "six-CICs-per entity" with a six-month monitoring period to be a very conservative approach.

⁸ Ad Hoc Working Group Report ¶¶ 4, 19-22. See FNPRM ¶ 24.

⁹ Ad Hoc Working Group Report ¶ 2.

period, with an evaluation at the end of six months with respect to whether an increase in the limit is appropriate.¹⁰

- That extraordinary conservation measures are not necessary at this time or into the foreseeable future.¹¹
- That formal Commission rules regarding CIC assignments, use and conservation, other than those recommended by the NANC, are not currently required and would introduce an inflexibility into the process that is not in the public interest or that of the industry.¹²

II. CONCLUSION

U S WEST supports the Commission's adoption of the NANC recommendations. They reflect a balanced yet flexible approach to CIC administration which is more likely to promote competition in the telecommunications industry than formal Commission rules. We agree with the Ad Hoc Working Group that any "Commission rules on CICs should maintain the basic tenet of the CIC Assignment Guidelines, which are designed so that CICs can be

¹⁰ Id. ¶¶ 2-3, 24-26, 27-28. See FNPRM ¶¶ 35-36.

¹¹ Ad Hoc Working Group Report ¶¶ 5, 30-31. See FNPRM ¶ 40.

¹² Ad Hoc Working Group Report ¶¶ 4, 7-10. See FNPRM ¶¶ 10, 13.

assigned to provide the greatest latitude in the provision of telecommunications services, while maintaining the effective management of a finite resource."¹³

Respectfully submitted,

U S WEST, INC.

By: Kathryn Marie Krause
Kathryn Marie Krause
Suite 700
1020 19th Street, N.W.
Washington, DC 20036
(303) 672-2859

Its Attorney

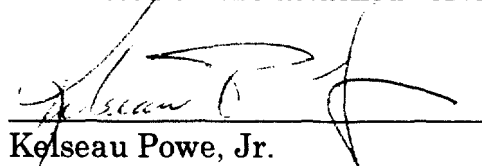
Of Counsel,
Dan L. Poole

March 6, 1998

¹³ Ad Hoc Working Group Report ¶ 6.

CERTIFICATE OF SERVICE

I, Kelseau Powe, Jr., do hereby certify that on this 6th day of March, 1998, I have caused a copy of the foregoing **COMMENTS OF U S WEST, INC.** to be served, via hand delivery, upon the persons listed on the attached service list.


Kelseau Powe, Jr.

William E. Kennard
Federal Communications Commission
Room 814
1919 M Street, N.W.
Washington, DC 20554

Gloria Tristani
Federal Communications Commission
Room 826
1919 M Street, N.W.
Washington, DC 20554

Michael K. Powell
Federal Communications Commission
Room 844
1919 M Street, N.W.
Washington, DC 20554

Harold Furchtgott-Roth
Federal Communications Commission
Room 802
1919 M Street, N.W.
Washington, DC 20554

Susan P. Ness
Federal Communications Commission
Room 832
1919 M Street, N.W.
Washington, DC 20554

A. Richard Metzger, Jr.
Federal Communications Commission
Room 500
1919 M Street, N.W.
Washington, DC 20554

Geraldine Matise
Federal Communications Commission
Suite 235
2000 M Street, N.W.
Washington, DC 20554

Carmell Weathers
Federal Communications Commission
Room 221
2000 M Street, N.W.
Washington, DC 20554

(Including 3x5 inch diskette)

International Transcription
Services, Inc.
1231 20th Street, N.W.
Washington, DC 20036

(CC92237J-KK/ss)
Last Update: 3/6/98